

FORM PTO-1083

ASSISTANT COMMISSIONER FOR PATENTS

Alexandria, VA

In re application of:

Serial No.:

Filed:

For:

Sir:

Wilhelm BERKULIN et al.

09/986,116

November 7, 2001

PROCESS FOR PREPARING DRY EXTRACTS

Docket No.: 541.1038

Date: October 7, 2003

1654.
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Transmitted herewith is a **Supplemental Information Disclosure Statement** in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.
- [] A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- [X] No fee for additional claims is required.
- [] A filing fee for additional claims calculated as shown below, is required:
- [X] Also transmitted herewith are:
- [] Petition for extension under 37 C.F.R. 1.136 (in duplicate)
- [X] Other: -Form PTO-1449 (2 sheets) and references cited therein
-Exhibit A- which contains specifications and pending claims of copending applications
- [X] Check(s) in the amount of **\$180.00** is/are attached to cover:
- [] Filing fee for additional claims under 37 C.F.R. 1.16
- [] Petition fee for extension under 37 C.F.R. 1.136
- [X] Other: Information Disclosure Statement
- [X] The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- [X] Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- [X] Any patent application processing fees under 37 C.F.R. 1.17.
- [X] Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on October 7, 2003.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:


Kareem Stevens

Applicants also respectfully advise the Examiner of the following co-pending U.S. patent applications which are commonly assigned to the owners of the instant application:

U.S. Patent Application Serial No. 10/290,121, filed November 7, 2002, entitled "Process For Preparing Dry Extracts";

U.S. Application Serial No. 10/256,855, filed September 27, 2002, entitled "Process For Co-Spray Drying Liquid Herbal Extracts With Dry Silicified MCC";

U.S. Application Serial No. 10/256,826, filed September 27, 2002, entitled "Agglomerated Particles Including An Active Agent Coprocessed With Silicified Microcrystalline Cellulose".

Pursuant to 37 C.F.R. § 1.98 (a)(2)(iii) the Examiner's attention is directed to Exhibit A attached herewith which contains the specifications and claims for pending applications serial nos. 10/256,855, 10/256,826, and 10/290,121.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) before the mailing of a final Office Action on the merits. Accordingly, a check in the amount of \$180.00 is enclosed. If it is determined that any additional fee is due, the Examiner is authorized to charge said fee to Attorney Deposit Account No. 50-0552.

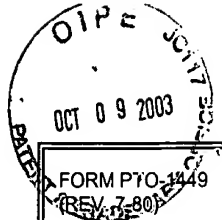
Respectfully submitted,

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FORM PTO-449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:
541.1038

SERIAL NO.: 09/986,116

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S): Wilhelm BERKULIN, et al.

FILING DATE:
November 7, 2001

GROUP: 1654

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5	4	6	6	4	5	2	11-14-1995	Whittle	424	195.1	
	AB	6	1	9	0	6	9	6	02-20-2001	Groenewoud	424	464	
	AC	5	7	9	8	1	0	1	08-25-1998	Haveson	424	195.1	
	AD	6	1	5	3	2	2	0	11-28-2000	Cummings, et al.	424	464	
	AE	5	7	0	9	8	8	0	01-20-1998	Del Corral, et al.	424	464	
	AF	4	5	3	3	6	7	4	08-06-1985	Schmidt, et al.	514	474	
	AG	5	5	8	5	1	1	5	12-17-1996	Sherwood, et al.	424	489	
	AH	5	7	2	5	8	8	3	03-10-1998	Staniforth, et al.	424	489	
	AI	5	7	3	3	5	7	8	03-31-1998	Hunter, et al.	424	489	
	AJ	5	7	4	1	5	2	4	04-21-1998	Staniforth, et al.	424	489	
	AK	6	3	9	5	3	0	3	05-28-2002	Staniforth, et al.	424	499	
	AL	6	2	1	7	9	0	7	04-17-2001	Hunter et al.	424	489	
	AM	6	1	0	6	8	6	5	08-22-2000	Staniforth et al.	424	489	
	AN	5	8	6	6	1	6	6	02-02-1999	Staniforth et al.	424	489	
	AO	6	2	1	7	9	0	9	04-17-2001	Sherwood et al.	424	494	
	AP	6	3	5	8	5	3	3	03-19-2002	Sherwood et al.	424	494	
	AQ	6	1	0	3	2	1	9	08-15-2000	Sherwood et al.	424	494	
	AR	6	5	2	1	2	6	1	02-18-2003	Sherwood et al.	424	494	
	AS	5	7	2	5	8	8	4	03-10-1998	Sherwood et al.	424	489	
	AT	6	3	8	3	5	2	6	05-07-2002	Andrews et al.	424	733	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	AU	99	1	5	1	5	5	A1	04-01-1999	WO	A61K	9/20		

EXAMINER

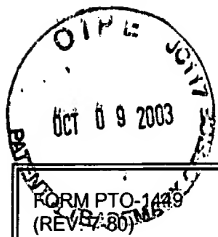
DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FORM PTO-1649 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: 541.1038		SERIAL NO.: 09/986,116							
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)				APPLICANT(S): Wilhelm BERKULIN et al.									
				FILING DATE: November 7, 2001		GROUP: 1654							
U.S. PATENT DOCUMENTS													
*EXAMINER INITIAL		DOCUMENT NUMBER						DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	BA	6	3	9	1	3	3	7	05-21-2002	Hunter et al.	424	474	
	BB	5	9	6	5	1	6	6	10-12-1999	Hunter et al.	424	489	
	BC	5	8	5	8	4	1	2	01-12-1999	Staniforth et al.	424	489	
	BD												
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	BK												
FOREIGN PATENT DOCUMENTS													
		DOCUMENT NUMBER						DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO
	BL												
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	BO												
	BP												
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)													
	BR												
	BS												
	BT												
EXAMINER									DATE CONSIDERED				
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